

REMARKS

This application has been carefully reviewed in light of the Office Action dated June 9, 2009. Claims 1-7 and 9-12 are presented for examination, of which Claims 1, 7, and 9 are in independent form. Claims 10-12 have been amended to provide Applicant with a more complete scope of protection. Favorable reconsideration is respectfully requested.

Request for Telephonic Interview

Applicant respectfully requests a telephonic interview with the Examiner prior to or as part of the Examiner's consideration of this Amendment. One of Applicant's attorneys will contact the Examiner shortly to arrange a mutually convenient time for such an interview.

The Rejections

Claims 10-12 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant has carefully reviewed and amended Claims 10-12 as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph, with special attention to the points raised in paragraph 3 of the Office Action. It is believed that the rejections under 35 U.S.C. §112, second paragraph, have been obviated, and their withdrawal is therefore respectfully requested.

Claims 1-3, 5, 7, and 9 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,972,863 (*Parry*). Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Parry* in view of Applicant's alleged admitted prior art (*AAPA*); Claim 6 was rejected over *Parry* in view of U.S. Patent 6,137,590 (*Mori*); and Claims 10-12 were rejected over *Parry* in view of U.S. Patent 5,923,848 (*Goodhand*).

Applicant respectfully traverses the rejections and submits that the claims are distinguishable from the cited references for the following reasons.

Claim 1 is directed to an image processing apparatus comprising read means, authentication means, search means, setting means, and output means. The read means are for reading an image on a document that contains image storage information representing a location where an original image of the document is stored. The authentication means are for authenticating whether a user can utilize an original image of the document. The search means are for searching the original image of the document from an image storage device which stores the original image of the document, on the basis of the image storage information when the user is authenticated by the authentication means. The setting means are for automatically setting, in accordance with an authentication by the authentication means, a destination for the original image of the document to an address of the user authenticated by the authentication means, the set destination being different from the image processing apparatus. The output means are for outputting the original image of the document searched by said search means to the destination set by the setting means.

Among other notable features of Claim 1 are the setting means, which automatically set, in accordance with an authentication by the authentication means, a destination for the original image of the document to an address of the user authenticated by the authentication means, the set destination being different from the image processing apparatus.

In the Response to Arguments at page 2 of the Office Action, the Examiner argues that *Parry* discloses automatically setting a destination to an address of the user. In

particular, the Office Action asserts that manually selecting a destination using the user interface 40 in *Parry* can be considered automatic because the user does not have to scan the barcode of the document again. Applicant submits that re-scanning the barcode of the document is irrelevant to automatically setting a destination for the original image of the document. In the absence of re-scanning the barcode in *Parry*, the destination for the original image of the document is still not set. Moreover, manually setting a destination once using the user interface 40 in *Parry* cannot be considered to correspond to “automatically setting, in accordance with an authentication by the authentication means, a destination for the original image of the document”, since any destination that is set in *Parry* is set, at most, in accordance with a manual entry using the user interface, and not automatically in accordance with an authentication. That is, instead of automatically selecting the destination, the user in *Parry* is required to make a specific manual choice of destination.

At pages 2 and 3 the Office Action states that “After the user is authenticated (Block 150 of Fig. 2, col. 4, lines 29-34), the user selects the destination for transmission of the document to another printer or appropriate device (Block 170 of Fig. 2, col. 4, lines 35-46). Therefore, the user selected address is the address of the user.” Apparently, in the cited portions of *Parry*, after the user is authenticated, the user selects the destination. Therefore, the selection of the destination for transmission of the document is *not* automatically set, in accordance with an authentication, since the destination is manually set in accordance with the manual selection.

For at least these reasons, Claim 1 is believed to be allowable over *Parry*.

Independent Claims 7 and 9 include corresponding recitations and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of independent Claims 1, 7, and 9, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. At the very least, it is believed clear that the formal rejections have been overcome. In any event, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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